

House Engrossed

State of Arizona
House of Representatives
Forty-sixth Legislature
First Regular Session
2003

CHAPTER 17

HOUSE BILL 2129

AN ACT

AMENDING SECTION 11-461, ARIZONA REVISED STATUTES; RELATING TO COUNTY RECORDERS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 11-461, Arizona Revised Statutes, is amended to
3 read:

4 11-461. Recording instruments; keeping records; identification;
5 location

6 A. The recorder shall have custody of and shall keep all records, maps
7 and papers deposited in the recorder's office.

8 B. The recorder shall record separately, in typewriting, in a legible
9 hand or by use of photostatic or photographic machines or by a system of
10 microphotography, all instruments or writings required or authorized by law
11 to be recorded. In a like manner, the recorder shall record any other
12 instrument offered for recording provided the instruments meet the
13 requirements of section 11-480.

14 C. The recorder may accept a digitized image of a recordable
15 instrument for recording if it is submitted by a title insurer or by a title
16 insurance agent as defined in section 20-1562, by a state chartered or
17 federally chartered bank insured by the federal deposit insurance
18 corporation, BY AN ACTIVE MEMBER OF THE STATE BAR OF ARIZONA, by an agency,
19 branch or instrumentality of the federal government or by a governmental
20 entity and the instrument from which the digitized image is taken conforms
21 to all applicable laws relating to the recording of paper instruments.

22 D. Instruments shall be recorded consecutively as of the time they are
23 received. The recorder shall affix to each instrument, either by hand or in
24 a digitized form, a notation or notations sufficient to provide:

25 1. A record identification to uniquely identify each instrument and
26 to fix its position within the sequence of recordings.

27 2. A record location to enable each instrument to be retrieved for
28 purposes of inspection.

29 E. Instruments may be recorded in docket books, in separate record
30 books or in suitable containers, if the location of each instrument can be
31 determined from notations both on the instrument and in the appropriate
32 index. Reference to any recorded instrument may be made by the record
33 location without further description.

34 F. Any reference to docket and page, or book and page, or similar
35 indication means the record location as notated on each recorded instrument.

APPROVED BY THE GOVERNOR MARCH 28, 2003.

FILED IN THE OFFICE OF THE SECRETARY OF STATE MARCH 28, 2003.

Passed the House February 18, 2003

Passed the Senate March 20, 2003

by the following vote: 59 Ayes,

by the following vote: 24 Ayes,

0 Nays, 1 Not Voting

2 Nays, 4 Not Voting

Jake Flake
Speaker of the House

Ken Blumenthal
President of the Senate

Norman L. Joyce
Chief Clerk of the House

Chaimin Bellington
Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill was received by the Governor this

24 day of March, 2003

at 3:12 o'clock P M.

Sandra Ramirez
Secretary to the Governor

Approved this 28 day of

March, 2003

at 8⁰⁰ o'clock A M.

J. R. ...
Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State

this 28 day of March, 2003

at 3:02 o'clock PM M.

Janice L. Brewer
Secretary of State